

### III. REMARKS

Applicant has amended the "Cross Reference to Related Applications" section of the application to update the information provided therein.

The Examiner has rejected claims 1-18 under either 35 U.S.C. § 102(e) or 35 U.S.C. § 103(a) in view of Kim Published Application No. US2002/0059279 ("Kim"). For the reasons discussed below, Applicant respectfully traverses this rejection.

Kim teaches the following:

. . . [A]n improved duplex system having a primary system with a primary database and a redundant system with redundant database, wherein the improvement comprises a Change List Table (CLT) that records key information regarding each transaction performed on the primary database, which must also be performed on the redundant database to maintain synchronization between the primary and redundant databases. The key information for an  $i^{\text{th}}$  transaction recorded in the CLT is removed from the CLT when the  $i^{\text{th}}$  transaction is successfully performed on the redundant database.

See Kim, ¶ 25. Thus, Kim's teachings are focused on maintaining synchronization between a primary and a redundant database.

The Examiner has not cited to any teachings in Kim directed to "ensuring that an IMS database and a description for said database are synchronized." See, e.g., claim 1. The Examiner has also not cited to any teachings in Kim directed to "storing a copy of said description, used to load said database, within said database, wherein said copy is maintained in said database." In addition, the Examiner has not cited to any teachings in Kim directed to "determining whether said copy of said description and said description stored in said data management block are synchronized."

As stated above, Kim's teachings are directed to maintaining synchronization between a primary and a redundant database. Thus, Kim's focus is on ensuring that the database data in two databases is synchronized. On the other hand, Applicant's claimed invention is directed to ensuring

that one database and the description for that one database are synchronized. As discussed in Applicant's patent application, a database description (DBD) contains a number of source statements which describe the physical characteristics of the database. Again, the Examiner has not cited to any teachings directed to determining whether a copy of such a description (for a single database) and the description stored in a data management block (for that single database) are synchronized.

Accordingly, Applicant respectfully submits that the Examiner's rejection of claims 1-18 is not well-founded.

#### IV. CONCLUSION

In view of the remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, Examiner is requested to telephone the undersigned at (512) 370-2858.

Respectfully submitted,



Michael P. Adams  
Attorney for Applicant(s)  
Reg. No. 34,763

P.O. Box 50784  
Dallas, TX 75201

#### CERTIFICATION UNDER 37 C.F.R. § 1.8

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Inventor(s): Wayne E. Fisher  
Assignee: NEON Enterprise Software, Inc. (f/k/a Peregrine Bridge Transfer Corporation)  
Title: "Ensuring That A Database And Its Description Are Synchronized"  
Serial No.: 10/036,815  
Docket No.: 39802-P005US (f/k/a M-11460 US)

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Assignee: NEON Enterprise Software, Inc. (f/k/a Peregrine Bridge Transfer Corporation)  
Title: "Ensuring That A Database And Its Description Are Synchronized"  
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June 29, 2004

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Inventor(s):	Wayne E. Fisher		
Title:	Ensuring That A Database And Its Description Are Synchronized		
Serial No.:	10/036,815	Filing Date:	10/19/2001
Examiner:	Uyen T. Le	Group Art Unit:	2171
Winstead Docket No.:	39802-P005US (f/k/a M-11460 US)		

Dear Sir or Madam:

Transmitted herewith are the following:

1. Return Receipt Postcard;
2. This Transmittal Letter (**in duplicate**);
3. Recordation Form Cover Sheet;
4. Change of Name (NEON Enterprise Software, Inc. – 8/16/02); and
7. Firm check in the amount of \$40.00.

I enclose herewith a firm check in the amount of \$40.00, which represents payment for the above-referenced Change of Name being filed.


If the fee has been calculated incorrectly, the Commissioner is hereby authorized to charge any insufficiency of payment of the following fees associated with this communication, or credit any overpayment, to Deposit Account No. 23-2426 (39802-P005US) in the name of Winstead Sechrest & Minick P.C. **A duplicate copy of this transmittal letter is enclosed.**

June 29, 2004

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Respectfully submitted,



Michael P. Adams  
Attorney for Applicant(s)  
Reg. No. 34,763

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☐ Security Agreement ☒ Change of Name  
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8/16/2002

Execution Date: \_\_\_\_\_

2. Name and address of receiving party(ies)

Name: NEON Enterprise Software, Inc.

Internal Address: \_\_\_\_\_

Street Address: 14100 Southwest Freeway

Suite 400

City: Sugarland State: TX Zip: 77478

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s) 10/036,815

B. Patent No.(s) \_\_\_\_\_

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Michael P. Adams

Internal Address: Winstead Sechrest & Minick P.C.

P.O. Box 50784

Street Address: \_\_\_\_\_

City: Dallas State: TX Zip: 75201

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41).....\$ 40.00

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Michael P. Adams

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